

CASE 24-04051

CERTIFICATE OF SERVICE

I, Kimberly C. Jorner (name), certify that service of this summons and a copy of the complaint was made July 17, 2024 (date) by:

- ☒ Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to: Richard Lee Bowers DBA Rick Borete  
2316 Hampton Dr. Little Elm, Texas 75068  
Bankruptcy Case # 24-41145
- ☐ Personal Service: By leaving the process with the defendant or with an officer or agent of defendant at:
- ☐ Residence Service: By leaving the process with the following adult at:
- ☐ Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at:
- ☐ Publication: The defendant was served as follows: [Describe briefly]
- ☐ State Law: The defendant was served pursuant to the laws of the State of \_\_\_\_\_, as follows: [Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

Date 7.17.24 Signature K. Jorner  
Print Name: Kimberly C Jorner  
Business Address: 704 Hoyt Rd  
Wynahatchie Tx 75167

## United States Bankruptcy Court

Eastern District Of Texas

In re Richard Lee Bowers,  
Debtor

Kimberly Christine Forner  
Plaintiff

v.

Joshua L. Forner  
Defendant

) Case No. 24-41145

) Chapter 7

) Adv. Proc. No. 24-04051

### SUMMONS IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons with the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Jason McDonald, Clerk

Address of the clerk:

United States Bankruptcy Court  
660 N. Central Expwy., Ste. 300B  
Plano, TX 75074

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney.

Name and Address of Plaintiff's Attorney:

Kimberly Christine Forner, Pro Se  
Joshua L. Forner, Pro Se  
704 Hoyt Rd.  
Waxahachie, TX 75167

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**



/S/ Jason McDonald

Date: 07/16/2024

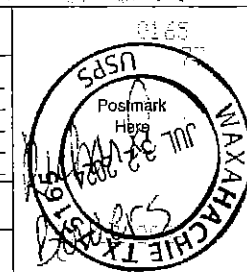
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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

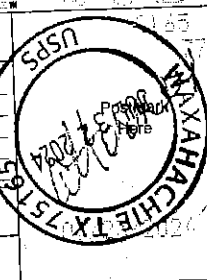
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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

To Richard Lee Bowers

DBA Rick B Crete

2316 Hampton Rd

Little Elm Texas 75068

RE: Notice of intent to file a lawsuit

Dear Owner of Rick B Crete

This letter serves as a final notice of intent to file a lawsuit against you due to the poor workmanship and unwillingness of your company to complete and repair, the stamped concrete floors you attempted to complete at 704 Hoyt Rd Waxahachie Texas on September 9<sup>th</sup>- September 14<sup>th</sup>.

The work you performed at 704 Hoyt Rd Waxahachie was carless, incomplete and attempted with poor workmanship.

We have made several attempts to contact you regarding this matter without success or response.

We desire relief in the form of compensation for the floors to be redone by a professional in the amount of 11,200.00 as well as restitution for the damage you caused during your work, which includes the cost we incurred to hire a painter to paint the walls in which you sprayed stain on for \$4,600.00. We will also be seeking reimbursement for the cost to move the contents out and back into the house for the professionals to be able to complete the floor renovation needed to complete the job correctly in the amount of \$3,500.00.

We desire relief in the form of compensation for damages in the amount of \$19,300.00.

This offer to settle this matter and avoid a lawsuit is valid for 10 business days after this letter's date.

If we do not receive a favorable response within 10 business days, we will promptly begin a lawsuit.

The letter of intent to sue is governed by the laws of the state of Texas.

Sincerely, Josh Forner

CAUSE NO. SC1807

JOSHUA LEE FORNER AND KIMBERLY C § IN THE JUSTICE COURT  
FORNER §  
PLAINTIFF §  
v. § PRECINCT NO. 2  
§  
RICHARD LEE BOWERS DBA RICK B §  
CRETE §  
DEFENDANT § ELLIS COUNTY, TEXAS

**JUDGMENT FOR PLAINTIFF (BENCH TRIAL)**

On the 13th day of September, 2023, this case was tried.

Plaintiff appeared ☒ in person ☐ by attorney: \_\_\_\_\_

Defendant appeared ☐ in person ☐ by attorney: DID NOT APPEAR

No jury was demanded, and a bench trial was conducted. The judge, having heard the evidence and testimony of the parties, **FINDS** that Plaintiff proved the allegations of the petition, and it is therefore **ORDERED** that Plaintiff recover of Defendant:

- ☒ the sum of \$19,000.00,
- ☐ plus attorney's fees of ,
- ☒ with interest at the rate of 8.25% compounded annually, and
- ☒ court costs of \$144.00.


***Important Notice***

If you are an individual (not a company), your money or property may be protected from being taken to pay this judgment. Find out more by visiting [www.texaslawhelp.org/exempt-property](http://www.texaslawhelp.org/exempt-property).

***El Aviso Importante***

Si usted es una persona física (y no una compañía), su dinero o propiedad pudieran estar protegidos de ser embargados como pago de esta deuda decretada en juicio en contra suya. Obtenga mayor información visitando el sitio [www.texaslawhelp.org/exempt-property](http://www.texaslawhelp.org/exempt-property).

**ISSUED AND SIGNED** this the 13th day of September, 2023.



JUSTICE OF THE PEACE, PRECINCT 2  
ELLIS COUNTY, TEXAS



**HEARING DATE**

**DOCKET NO SC1807**

**JUSTICE COURT  
JP # 2, ELLIS COUNTY  
701 S. I-35E, SUITE 1  
WAXAHACHIE, TX 75165  
972-825-5022**

PLAINTIFF (S): JOSHUA LEE FORNER AND KIMBERLY C FORNER  
704 HOYT RD  
WAXAHACHIE, TX 75167

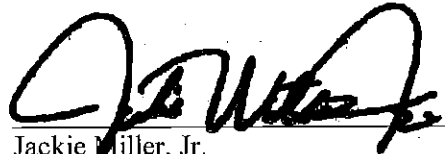
-VS-

DEFENDANT (S): RICHARD LEE BOWERS DBA RICK B CRETE  
5810 FLINT DR  
GRANBURY, TX 76048

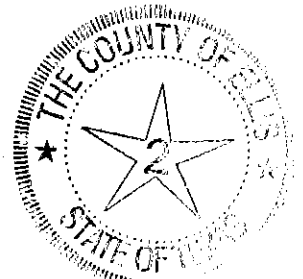
DATE: JULY 24, 2023

A TRIAL date on the above captioned matter has been set for **September 13, 2023**. The court will convene in the Justice of the Peace Courtroom, 701 S. I-35E, Suite 1, Waxahachie, TX 75165 at **01:30pm**.

Failure to appear for this hearing could result in a default judgment being entered against you (or your client). If for any reason you cannot appear on this date you must notify the court three days prior to the hearing date. Only 1 reset will be allowed per Defendant and 1 per Plaintiff.



Jackie Miller, Jr.  
Judge Presiding  
Justice of the Peace, Precinct 2 Ellis Texas





**ELLIS COUNTY JUSTICE OF THE PEACE, PCT. #2**

**JACKIE MILLER, JR.**  
**Judge**

**701 S. I-35 E., Suite 1**  
**Waxahachie, TX 75165**  
**Bus. (972)825-5022**  
**Fax (972) 825-5025**

**STANDING ORDER REGARDING CONTINUANCE OF HEARINGS**

It is therefore ordered that no motion for continuance will be granted when filed within 48 hours prior to the scheduled court date in any criminal case or justice suit with the following exceptions; illness, family emergency, or for other good cause shown.

SIGNED this the 24th day of July, 2023.

  
\_\_\_\_\_  
Judge Presiding

